

**Minutes of the Regular Meeting of The  
New Jersey Maritime Pilot & Docking Pilot Commission  
May 21, 2013**

The regular meeting of The New Jersey Maritime Pilot and Docking Pilot Commission was held on. Tuesday, May 21, 2013 at One Penn Plaza East, 9<sup>th</sup> Floor, Newark, NJ 07105.

Commissioner Stapleton called the meeting to order at 10:05am.

Pledge of Allegiance

Open Public Meeting Statement

Roll Call

Commissioner Timothy J. Dacey, present; Commissioner Brian McEwing, absent; Commissioner Charles Stapleton, present; Commissioner Charles Wowkanech, present.

Minutes of Prior Meetings

A motion was made by Commissioner Dacey and seconded by Commissioner Wowkanech that the minutes of the April 16, 2013 regular meeting be approved. Ms. Stuckey suggested that the minutes be amended as follows: page 4, paragraph 4, the first sentence should read..."There are lighting issues with a container flag between the Moran ship yard and the Bayonne Bridge that is blinding to outbound vessels."

The motion as amended was put to a vote and all voted in favor.

Treasurers Reports

A motion was made by Commissioner Dacey and seconded by Commissioner Wowkanech to pass Resolution #13-14 to approve the May 2013 Treasurers Report.

All voted in favor.

## Executive Director's Report

A Docking Pilot Apprentice Selection Committee has been established to begin the next round of the docking pilot apprentice selection process. The ad has been printed in the Professional Mariner Magazine, Workboat Magazine and printed on the Commission's Website. The application has been updated, posted on the Commission's Website and distributed. The deadline date for receiving applications is June 21, 2013. It is anticipated that the Committee will have its first meeting the week of July 8, 2013.

The rules for the proposed regulatory clean-up are still being reviewed by the Governor's office.

The Coast Guard published the findings of the final environmental assessment on the project to raise the Bayonne Bridge. The assessment shows no major issues and the project is slated to be completed by the fall of 2015.

The Commissioners were given a draft of the 2012 Annual Report. They were asked to provide any feedback to staff by Friday, May, 31, 2013. Staff will then produce a final draft to submit to the Governor's Press Office for approval. It is anticipated that there will be a resolution on the agenda for the June 18, 2013 meeting to approve the report for publication.

The Commissioners were provided with a copy of a letter that was sent to Captain Andrew McGovern as Chair of the Harbor Ops Committee from the Department of Environmental Protection stating its intent to place the permit application from the City of Carteret for the construction of a marina on permanent hold.

Captain McGovern pointed out that the City of Carteret can appeal the decision.

## Public Comment

Comments from Captain Andrew McGovern, President, New Jersey Sandy Hook Pilots Association:

The rebuilding of the Pilot station house is moving along. Sandy Hook has hired an architect and anticipates that the reconstruction of the pier will be completed within a month. It is anticipated that the complete project will be done in two years. In the meantime they have placed two trailers at the

pier, one for boat crews and the other for pilots to rest between turns. They have also signed a two year lease for temporary office space. Once the final plans from the architect are approved by their Executive Committee, they will present them to the Commission.

Comments from Captain Robert Flannery, President, Metro Pilots Association:

Captain Flannery pointed out his dissatisfaction at reading the qualifications that are listed in the revised application for docking pilot apprentices. He pointed out that the Committee agreed that an endorsement letter along with a piece of first class pilotage should be necessary for anyone to apply to become an apprentice.

Commissioner Stapleton stated that the change was made to have the application reflect the requirements listed in the regulations and that the Pilot Associations would maintain the final say in which applicants they pull off the approved list.

Captain Flannery expressed his disappointment about the issue not being discussed by the Committee before the change was made.

The Navigation Capabilities Working Group will publish its first report the first week in June.

Captain Flannery informed the Commission that he recently read an article that stated the construction on the project to raise the Bayonne Bridge would begin the week of May 27, 2013.

A new boring machine will have to be built in order to continue the project to remove the 47ft speed bump on the water tunnel between Staten Island and Brooklyn. The machine that was in use was damaged during hurricane Sandy.

The Army Corp has agreed to complete the soundings at Claremont Channel.

Comments from Ms. Genevieve Clifton, Manager, Maritime Resources:

The Department of Transportation is working with the Environmental Protection Agency to try to establish a no discharge zone.

The replacement of the 32 Buoy has been funded by Stevens and is up and running.

EBC is working with the York Waterways on managing some of the docking facilities for people looking for additional piers to tie up recreational vessels.

Maritime Resources will be conducting a study on the project to replace the deck of the Pulaski Skyway to determine what impact the project will have on landside and marine traffic.

The light presentation has been delayed until the week of July 4, 2013.

#### Committee Reports

A. Investigation Committee:

- I. ***Sealand Meteor*** - April 23, 2013. This incident is still under review and has been tabled.

#### Resolution #13-08 to Approve the Proposal of Amendments to the Commission's Regulations

A motion was made by Commissioner Dacey and seconded by Commissioner Wowkanech to table Resolution #13-08. All voted in favor.

#### Resolution #13-13 to Approve an Operating Budget for Fiscal Year 2014

A motion was made by Commissioner Dacey and seconded by Commissioner Wowkanech to approve Resolution #13-13 to adopt the operating budget for FY14. Commissioner Stapleton pointed out that there was no increase in the Commission's expenses for FY14.

The motion was put to a vote and all voted in favor.

#### Executive Session

WHEREAS, the Open Public Meetings Act provides that a public body such as The New Jersey Maritime Pilot and Docking Pilot Commission may meet in closed session to discuss personnel and legal matters.

WHEREAS, the Commission desires to meet in closed session to discuss such matters.

NOW THEREFORE, be it resolved that the Commission shall at this time meet in closed session to discuss such matters the substance of the closed session would be disclosed publicly only if it would not warrant an invasion of privacy or constitute a breach of the attorney client privilege.

A motion was made by Commissioner Dacey and seconded by Commissioner Wowkanech that the Commission goes into Executive Session.

All voted in favor.

The Commission took a break at 10:32am.

#### Return to Public Session

A motion was made by Commissioner Dacey and seconded by Commissioner Wowkanech that the Commission return to Public Session. All voted in favor.

The Commission returned to Public Session at 11:16am.

#### Change of July Meeting Date

Commissioner Stapleton announced that the July, 2013 regular meeting will be changed to July 22, 2013, and staff has been directed to publish the required notices. (Editors note: The decision was to hold the meeting on the fourth Tuesday in July which is July 23, 2013).

#### Adjournment

A motion was made by Commissioner Wowkanech and seconded by Commissioner Dacey that the meeting be adjourned. All voted in favor.

The meeting was adjourned at 11:16am.